

AO 91 (Rev. 11/11) Criminal Complaint

AUSA: Susan Fairchild
Officer: Ilse RamirezTelephone: (313) 226-9577
Telephone: (313) 268-3844

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America
v.
Agustin CORTEZ ORBECase: 2:25-mj-30241
Assigned To : Unassigned
Assign. Date : 4/17/2025
Case No. Description: RE: AGUSTIN CORTEZ
ORBE (EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 21, 2025 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:*Code Section*

8 U.S.C. 1326(a)

Offense Description

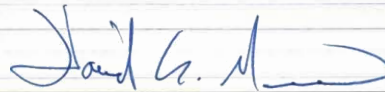
Unlawful Re-Entry Following Removal from the United States

This criminal complaint is based on these facts:

On or about February 21, 2025, in the Eastern District of Michigan, Southern Division, Agustin CORTEZ ORBE, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about April 26, 2017, and not having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.*Complainant's signature*

Ilse Ramirez, Deportation Officer

*Printed name and title*Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: April 17, 2025City and state: Detroit, MI*Judge's signature*

David R. Grand, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Ilse Ramirez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since January of 2024. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records and system automated data relating to Agustin CORTEZ ORBE, which reveal the following:
2. Agustin CORTEZ ORBE is a forty-one-year-old citizen and a native of Mexico who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security.
3. On or about July 03, 2006, the Ramsey District Court in Minnesota convicted CORTEZ ORBE for driving while impaired and sentenced him to 60 days in jail and one year probation.
4. On or about August 11, 2006, the Hennepin County District Court in Minnesota convicted CORTEZ ORBE for reckless or careless driving and sentenced him to 30 days in jail and one year probation.
5. On or about March 19, 2017, the Oakland County Sheriff's Department in Pontiac, Michigan arrested CORTEZ ORBE for a Traffic Offense, Hit and Run. According to the police report, CORTEZ ORBE's vehicle struck another car as he was pulling on onto the road. After hitting the vehicle, CORTEZ ORBE fled the scene on foot and was eventually caught by law enforcement. The case is still open and under investigation.
6. On or about March 20, 2017, Detroit Immigration and Custom Enforcement in Detroit, Michigan arrested and served CORTEZ ORBE with a Notice to Appear (I-862).

7. On or about April 26, 2017, the U.S immigration and Custom Enforcement (USICE) in Alexandria, Louisiana removed CORTEZ ORBE to Mexico via an ICE Charter flight.
8. On February 21, 2025, according to the police reports, a traffic stop of the vehicle CORTEZ ORBE was driving was conducted by the Oakland County Sheriff's Office in Pontiac, Michigan. CORTEZ ORBE was stopped because the vehicle ran a red light. Before stopping the vehicle, the Deputy also determined that the vehicle was not registered. CORTEZ ORBE was unable to provide the Deputy with a driver's license or proof of insurance. He was arrested and detained. While in the scout car, the Deputy learned that CORTEZ ORBE was not licensed to drive and had four active traffic warrants out of Oakland County. CORTEZ ORBE was transported to the Oakland County jail for booking and processing on the outstanding warrants. He was also ticketed for the traffic offenses committed.
9. On or about February 22, 2025, ICE was notified of CORTEZ ORBE's arrest in Oakland County. A detainer was lodged. On April 9, 2025, CORTEZ ORBE was arrested at the Oakland County jail following his release on the traffic charges. He was transported to the Detroit Field Office for processing.
10. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any non-citizen entering or attempting to enter the United States, or any non-citizen present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of noncitizens.
11. A review of immigration records (AXXX XXX 043) for CORTEZ ORBE, and queries in the U.S. Department of Homeland Security databases reveal that no record exists of CORTEZ ORBE obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal from the United States on or about April 26, 2017.

11. Based on the above information, there is probable cause to believe that, on or about February 21, 2025 in the Eastern District of Michigan, Southern Division, CORTEZ ORBE, an alien, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about April 26, 2017, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; all in violation of Title 8, United States Code, Section 1326(a).



Ilse Ramirez
Deportation Officer

Sworn to before me and signed in my
Presence and / or by reliable electronic means.



David R. Grand
United States Magistrate Judge
Dated: April 17, 2025